

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

**ELSIE GODFREY, Individually and as Personal
Representative of the Estate of Willie C.
Godfrey, *et al.*,**

File No.: 1:00-CV-33

**This document pertains to:
AGNES M. MIXER, Individually and as
Executrix of the Estate of Carl M. Mixer,
Deceased,**

Plaintiffs,

v.

ACandS, INC., et al.,

Defendants.

ORDER

THIS MATTER is before the Court upon the joint motion of Plaintiff Agnes Mixer, individually and as Executrix of the Estate of Carl M. Mixer, and Defendant, A.W. Chesterton Company, to dismiss.

It appearing that grounds exist to permit said Plaintiff to do so,

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiff Agnes Mixer, individually and as Executrix of the Estate of Carl M. Mixer, against Defendant, A.W. Chesterton Company, are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: February 27, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

